

TITLE 37 - PAY AND ALLOWANCES OF THE UNIFORMED SERVICES
CHAPTER 5 - SPECIAL AND INCENTIVE PAYS

-HEAD-

Sec. 326. Incentive bonus: conversion to military occupational specialty to ease personnel shortage

-STATUTE-

(a) Incentive Bonus Authorized. - The Secretary concerned may pay a bonus under this section to an eligible member of a regular or reserve component of the armed forces who executes a written agreement to convert to, and serve for a period of not less than three years in, a military occupational specialty for which there is a shortage of trained and qualified personnel.

(b) Eligible Members. - A member is eligible to enter into an agreement under subsection (a) if, at the time the agreement is executed, the member is serving in –

(1) pay grade E-6, with not more than 10 years of service computed under section 205 of this title; or

(2) pay grade E-5 or below, regardless of years of service.

(c) Amount and Payment of Bonus. –

(1) A bonus under this section may not exceed \$4,000, in the case of a member of a regular component of the armed forces, and \$2,000, in the case of a member of a reserve component of the armed forces.

(2) A bonus payable under this section shall be disbursed in one lump sum when the member's conversion to the military occupational specialty is approved by the chief personnel officer of the regular or reserve component of the member's armed force.

(d) Relationship to Other Pay and Allowances. - A bonus paid to a member under this section is in addition to any other pay and allowances to which the member is entitled.

(e) Repayment of Bonus. –

(1) A member who receives a bonus under this section and who, voluntarily or because of misconduct, fails to serve in such military occupational specialty for the period specified in the agreement executed under subsection (a) shall refund to the United States an amount that bears the same ratio to the bonus amount paid to the member as the unserved part of such period bears to the total period agreed to be served.

(2) An obligation to reimburse the United States imposed under paragraph (1) is, for all purposes, a debt owed to the United States.

(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of the agreement for which a bonus was paid under this section shall not discharge the person signing such agreement from the debt arising under paragraph (1).

(4) Under regulations prescribed pursuant to subsection (f), the Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

(f) Regulations. - The Secretaries concerned shall prescribe regulations to carry out this section. Regulations prescribed by the Secretary of a military department shall be subject to the approval of the Secretary of Defense.

(g) Termination of Authority. - No agreement under this section may be entered into after **December 31, 2008**.

***SEC.611.NDAA08, EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES
FOR RESERVE FORCES***

-SOURCE-

(Added Pub. L. 108-136, div. A, title VI, Sec. 625(a), Nov. 24,
2003, 117 Stat. 1506.)